APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,994	04/03/2000	J. Julian Paas	CA9-99-043	4706

25259   7590   02/14/2003

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EXAMINER
BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _03 April 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-16_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-16_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b).. Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claim 12 is rejected under 35 U.S.C. 102(e) as being anticipated by Popp et al.

(hereinafter "Popp", 6,249,291 B1).

As per claim 12, Popp discloses a method to script user-interface components to

create an application which is stored on a server and whose user-interface components

are downloaded to a container/desktop of a client, said method comprising:

- decomposing the presentation logic of the application into a plurality of tasks to be

    performed interactively with a user on the client (column 7, lines 13-20, 45-57,

    column 8, lines 32-40, 44-48, column 10, lines 46-52);

- for each of the tasks, creating a state diagram having a plurality of nodes wherein a user-interface component is associated with at least two of the plurality of nodes (column 8, lines 28-31, 44-46, column 12, lines 44-53);

- writing a script connecting each of the user-interface components in accordance with the state diagram and a policy framework of the container/desktop, wherein said script and said user-interface components are stored on at least one server to which said client is connected and said user-interface components are downloaded to said container/desktop on an as needed basis (column 12, lines 53-67, column 13, lines 42-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   Claims 1-11, 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Richards.

As per claims 1, 13, and 16, Brown discloses a method of executing a software application, comprising the steps of:

- calling the software application residing on a server from a client, the client and the server connected to each other through a network (column 2, lines 55-60, column 4, lines 37-46, column 6, lines 44-48);

- launching a container/desktop of the client (column 6, lines 52-55);

- the container/desktop initializing and executing a script of the application (column 2, lines 66-67, column 3, lines 1-3, column 6, lines 52-65);

- the script starting a user-interface component of the application on the container/desktop (column 6, lines 54-65,column 7, lines 4-7, column 8, lines 10-12);

- the script linking to and starting another user-interface component of the application (column 9, lines 12-16).

Brown does not explicitly disclose:

the script executing and closing the user-interface component;

the script executing and closing the another user-interface component.

However, the use and advantages for executing such script is well known to one skilled in the relevant art at the time the invention was made as evidenced by the teachings of Richards (column 5, lines 30-36, 40-42).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate executing script that closes the user-interface component in Brown's method in order to close the current window and access another.

As per claim 2, Brown discloses:

- the step of said script starting and executing the user-interface components within a policy framework of the container/desktop (column 6, lines 57-63, column 7, lines 4-7).

As per claim 3, Brown discloses:

- the container/desktop removing the user-interface components from memory within the client when the user-interface component is closed (column 5, lines 57-61).

As per claim 4, Brown discloses a method of executing an application having at least two tasks to be interactively executed with a user, said method comprising:

- downloading only those user-interface components stored on a server needed to perform a first task on a container/desktop of a client (column 6, lines 52-61, column 14, lines 6-13).

Brown does not explicitly disclose:

- closing said downloaded user-interface components when no longer needed;

- purging said closed user-interface components from said container/desktop when said closes user-interface is no longer needed.

However, the use and advantages for executing such script is well known to one skilled in the relevant art at the time the invention was made as evidenced by the teachings of Richards (column 5, lines 30-36, 40-42).

Therefore, one of ordinary skill in the art at the time the invention was made would have found it obvious to implement or incorporate executing script that closes the user-

interface component in Brown's method in order to close the current window and access another.

As per claims 5 and 14-16, Brown discloses a computer server comprising:

- a processor, a memory, a bus, and at least one I/O port by which to communicate with a remote client having a container/desktop (column 2, lines 55-60, column 4, lines 39-44, column 5, lines 13-15, Figures 1 and 2)

- an operating system with which to coordinate the processor, the memory, the bus, and the at least one I/O port to communicate to the client (column 2, lines 55-60, column 4, lines 39-44, column 5, lines 13-15, Figures 1 and 2);

- an application stored in memory of the server (column 6, lines 44-50);

- a script of the application stored in the memory of the server (column 6, lines 44-50);

- a plurality of user-interface components stored in the memory, the script comprising code to connect the user-interface components to comprise the application wherein the application launches the container/desktop on the client which in turn interacts with the script on the server to download each of the user-interface components from the server to the container/desktop on an as-needed basis (column 6, lines 44-50, 52-61, column 9, lines 11-18, column 14, lines 6-13);

As per claim 6, Brown discloses a client device comprising:

- a container/desktop (column 4, lines 44-48. column 6, lines 54-58);

- an I/O port with which to communicate to one or more servers having software

  applications, scripts, and user-interface components (column 6, lines 56-61);

- an interactive medium with which to interact with a user, wherein when the user uses

  the interactive medium to request an application from the server, the

  container/desktop communicates with the server through the I/O port and invokes a

  scrip of the application in the server which downloads user-interface components to

  the container/desktop according to the script and only on an as-needed basis, and

  wherein the container/desktop discards the user-interface components no longer

  needed by the application (column 2, lines 66-67, column 3, lines 1-3, column 6,

  lines 44-50, 52-61, column 9, lines 11-18, column 14, lines 6-13);

  As per claim 7, Brown discloses:

- wherein the container/desktop comprises code for implementation of the user-

  interface component on a personal computer (Figure 1, column 4, lines 44-45).

  As per claim 8, Brown discloses:

- wherein the container/desktop comprises code for implementation of the user-

  interface component on a voice-response unit (column 3, lines 14-17, column 11,

  lines 36-43);

  As per claim 9, Brown discloses:

- wherein the container/desktop comprises code for implementation of the user-
  interface component on a network computer (column 3, lines 14-16, column 4, lines
  44-48).

As per claim 10, Brown discloses:

- wherein the container/desktop comprises code for implementation of the user-
  interface component on a persuasive mobile device (column 4, lines 55-60).

As per claim 11, Brown discloses:

- wherein the container/desktop comprises code for implementation of the user-
  interface component on a second server behaving as a client (column 4, lines 39-
  44).

Conclusion

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Barbara N Burgess whose telephone number is (703)
305-3366. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Ario Ettinene can be reached on (703) 308-7562. The fax phone numbers
for the organization where this application or proceeding is assigned are (703) 746-7239
for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

                                              Barbara N Burgess
                                              Examiner
                                              Art Unit 2157

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February 10, 2003

MOUSTAFA M. MEKY
PRIMARY EXAMINER